

2021 Trafficking in Persons Report: North Korea

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA: Tier 3

The Government of the Democratic People's Republic of Korea (DPRK or North Korea) does not fully meet the minimum standards for the elimination of trafficking and, even considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity, is not making significant efforts to do so; therefore North Korea remained on Tier 3. During the reporting period there was a government policy or pattern of forced labor in mass mobilizations of adults and children, in prison camps as part of an established system of political repression, in labor training centers, and through its imposition of forced labor conditions on DPRK overseas workers. Reports indicate the government utilized the COVID-19 pandemic to increase the number of political prisoners, thereby expanding its existing capacity to subject North Koreans to forced labor. The government used proceeds from state-sponsored forced labor to fund government functions, as well as other illicit activity. The government did not demonstrate any efforts to address human trafficking.

PRIORITIZED RECOMMENDATIONS:

End the use of state-sponsored forced labor, including among North Korean workers abroad and in prison camps used as a source of revenue and tool of political repression. • End the practice of summary executions and other harsh punishments, including forced labor, for victims who are forcibly returned from other countries. • Eliminate coercion tactics used to monitor and limit the movements and communications of workers overseas. • Cease the garnishing of wages of overseas workers for the purposes of furthering forced labor. • Provide assistance to victims exploited in the DPRK and to North Korean victims returned from abroad. • Criminalize sex trafficking and labor trafficking. • Investigate and prosecute trafficking cases and convict traffickers in accordance with the rule of law. • Increase transparency by allowing international human rights monitors to evaluate living and working conditions of workers, both domestically and abroad. • Forge partnerships with international organizations and NGOs to combat human trafficking. • Allow North Koreans to choose their form of work and leave their employment at will. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report any law enforcement efforts. It is unclear whether North Korean laws criminalized sex trafficking or labor trafficking. Fair trials did not occur in the DPRK, and the government did not explain what provisions of law, if any, were used to prosecute trafficking offenses. The government did not provide law enforcement data; there were no known investigations, prosecutions, or convictions of traffickers, including government employees complicit in forced labor or other trafficking crimes. Media reported the government publicly executed six persons, including four party officials (without conducting fair trials) for their alleged involvement in the facilitation of commercial sex acts with female college students. Reports suggested some of the women were forced to engage in commercial sex; however, there was no indication authorities adequately investigated the situation as sex trafficking. Further, authorities reportedly sent more than 50 students alleged

to have engaged in commercial sex acts, some of whom were likely trafficking victims, to labor camps where they were subjected to three to six months' forced labor.

PROTECTION

The government did not report any protection efforts. Government authorities did not report identifying any victims or providing protective services, nor did they permit NGOs to provide these services. Authorities penalized victims for unlawful acts traffickers compelled them to commit. Authorities treated returning victims as criminals for crossing the border. The government sent North Koreans, including potential trafficking victims, forcibly returned by Chinese authorities to detention and interrogation centers, where the government subjected them to forced labor, torture, forced abortions, and sexual abuse by prison guards; in some cases, authorities potentially sent them on to prison camps. North Korean defectors previously reported instances of the government executing trafficking victims forcibly returned from China.

PREVENTION

The government did not report any efforts to prevent trafficking. Government oppression in the DPRK prompted many North Koreans to flee the country in ways that heightened their risk of trafficking in destination countries. The government made no efforts to raise awareness of human trafficking. The government did not make efforts to reduce the demand for commercial sex acts, nor did it provide anti-trafficking training to its diplomatic personnel. The DPRK is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers—including government officials—exploit North Koreans in the DPRK and abroad. Within North Korea, women and children are exploited in sex trafficking. Female college students unable to pay fees charged to them by universities to meet demands set by the government were vulnerable to sex trafficking. Forced labor is part of an established system of political repression and a pillar of the economic system in North Korea. The government subjects its nationals to forced labor in North Korean prison and labor camps, through mass mobilizations, and in overseas work. The law criminalizes defection, and individuals, including children, who cross the border for the purpose of defecting or seeking asylum in a third country are subject to a minimum of five years of “labor correction.” In “serious” cases, the government subjects asylum seekers to indefinite terms of imprisonment and forced labor, confiscation of property, or death.

The DPRK holds an estimated 80,000 to 120,000 persons in political prison camps and an undetermined number of persons in other forms of detention facilities, including re-education through labor camps. In many cases, these prisoners have not been charged with a crime or prosecuted, convicted, and sentenced in a fair judicial hearing. In prison camps, all prisoners, including children, are subject to forced labor, including in logging, mining, manufacturing, or farming for long hours under harsh conditions. In many cases, the government also detains all family members if one member is accused or arrested. Reports noted authorities subjected children to forced labor for up to 12 hours per day, did not allow them to leave the camps, and offered them limited access to education. The government subjects prisoners to unhygienic living conditions, beatings, torture, rape, a lack of medical care, and insufficient

food. Many prisoners do not survive. Reporting indicates the government utilized the COVID-19 pandemic to increase the number of political prisoners, thereby expanding its existing capacity to subject North Koreans to forced labor. Authorities allegedly treated individuals who did not wear face masks or who were found to violate quarantine rules as criminals guilty of political crimes and sent them to political prison camps where they were subjected to a minimum of three months' forced labor. In 2020, the government reportedly created new, and expanded existing, political prison camps to accommodate the resulting increased prison populations; there were reports of further plans to expand the political prison camp system.

The North Korean government operates regional, local, and sub-district level labor camps and forces detainees to work for short periods doing hard labor while receiving little food and being subjected to abuse, including regular beatings. Authorities reportedly send people to these camps if they are suspected of engaging in simple trading schemes or are unemployed; North Koreans who were not officially registered as being employed for longer than 15 days were at risk of being sent to labor camps for a minimum of six months.

Officials forcibly mobilize adults and school children to work in various sectors, including in factories, agriculture, logging, mining, infrastructure work, information technology (IT), and construction. An NGO reported the government withholds food rations or imposes taxes against adults who do not participate in these forms of forced labor. There were reports that in 2020 government officials required all women in the area of Hyesan to work daily on construction and other projects; those physically unable to work had to pay a fine, and security forces arrested evaders. The law requires all citizens of working age to work and "strictly observe labor discipline and working hours." There are numerous reports that some farms and factories do not pay wages or provide food to their workers. According to reports from an NGO, during the implementation of short-term economic plans, factories and farms increase workers' hours and ask workers for contributions of grain and money to purchase supplies for renovations and repairs. By law, failure to meet economic plan goals may result in two years of "labor correction." In 2019, workers were reportedly required to work at enterprises to which the government assigned them, and then the enterprises failed to compensate or undercompensated them for their work.

Schools receive compensation from the government for labor conducted by children, and officials occasionally sent schoolchildren to work in factories or fields for short periods to complete special projects such as snow removal on major roads or meeting production goals. Schools also require students under the minimum working age to work to raise funds for faculty salaries and maintenance costs for school facilities. In addition, school principals and teachers exploit students for personal gain by forcing them to work on farms or construction sites. Children aged 16 and 17 are enrolled in military-style youth construction brigades for 10-year periods and are subjected to long working hours and hazardous work. Authorities also sometimes subject children to mass mobilizations in agriculture away from their families, with excessive daily working hours, sometimes for periods of a month at a time. Children living in orphanages are often subjected to forced labor instead of attending school. The effects of such forced labor on children and students included physical and psychological injuries, malnutrition, exhaustion, and growth deficiencies.

North Korean workers sent by the government to work abroad, including through bilateral agreements with foreign businesses or governments, also face conditions of forced labor. Credible reports show many North Koreans working overseas are subjected to working excessive hours, sometimes in hazardous temperatures, with restricted pay for up to three years at a time. They reportedly work on average between 12 and 16 hours a day, and sometimes up to 20 hours per day, and are allowed only one or two rest days per month. North Koreans work in a range of industries overseas, including but not limited to apparel, construction, footwear manufacturing, hospitality, IT services, logging, medical, pharmaceuticals, restaurant, seafood processing, textiles, and shipbuilding. NGOs report the government manages these workers as a matter of state policy and that they were under constant and close surveillance by government security agents. Workers often reside in shared dormitories and have very limited freedom of movement. These workers face threats of government reprisals against them or their relatives in the DPRK if they attempt to escape or complain to outside parties. Workers' salaries are appropriated and often deposited into accounts controlled by the North Korean government, which justifies its retention of most of the money by claiming various "voluntary" contributions to government endeavors. Workers receive only a fraction of the money paid to the North Korean government for their work and face punishment if they fail to meet production or work targets. According to NGO reports, the North Korean government withholds 70-90 percent of wages from overseas workers, which generates an annual revenue to the North Korean government of hundreds of millions of dollars. Wages of some North Korean workers employed abroad reportedly are withheld until the workers return home, increasing their vulnerability to coercion and exploitation by authorities.

In 2017, UN Security Council resolutions prohibited UN Member States from issuing new or renewed work authorizations to DPRK overseas workers and required States to repatriate North Korean nationals earning income overseas, subject to limited exceptions, including for refugees and asylum seekers, no later than December 22, 2019. The vast majority of North Koreans employed outside the DPRK are located in Russia and China. Workers were also reportedly employed in a number of additional countries and regions in 2020, including Abkhazia (Russia-occupied region of Georgia), Angola, Cambodia, Equatorial Guinea, Guinea, Iran, Kenya, Malaysia, Mauritius, Mozambique, Niger, Oman, Qatar, Republic of the Congo, Senegal, South Sudan, Thailand, Uganda, and Vietnam. Some of these countries may have removed most or all of these workers during the year. However, reports suggested a number of countries either have not taken action or have resumed issuing work authorizations or other documentation, allowing these individuals to continue working, in violation of UN Security Council resolutions. There are an estimated 20,000-80,000 North Koreans working in China, primarily in restaurants and factories. The Government of Russia reportedly issued nearly 27,000 tourist and study visas to North Koreans in 2019, more than five times as many as it did during the previous year, strongly suggesting that these visas are being used inappropriately for workers; media reports highlight Russian court cases alleging that DPRK nationals on student visas were instead in Russia for the purpose of employment. In addition, official Russian statistics showed that nearly 3,000 tourist and study visas were issued to North Koreans in 2020. There were reports that the DPRK planned to send as many as 10,000 workers to Russia beginning in March 2021, where they will work for as long as three years.

North Koreans seeking to leave the DPRK due to the government's egregious human rights violations are vulnerable to sex and labor trafficking in neighboring China. Many of the North Korean refugees and asylum-seekers living irregularly in China are particularly vulnerable to traffickers who lure, drug, detain, or kidnap some North Korean women upon their arrival. Traffickers also operate networks spanning from China into North Korea to recruit North Korean women and girls to smuggle into China. For example, in border towns traffickers approach women with false promises of profitable employment that would enable them to pay broker fees associated with being smuggled to China. These women are subjected to physical abuse and sexual exploitation by their traffickers, forced into commercial sex in brothels or through internet sex sites, or compelled to work as hostesses in nightclubs or karaoke bars. Traffickers also sell North Korean women to Chinese men for forced marriages, whereby they are subsequently forced into commercial sex, domestic service, agricultural, or other types of work. These victims often lack identification documents and bear children with Chinese men, which further hinders their ability to escape. As many as 30,000 children born in China to North Korean women and Chinese men have not been registered upon birth, rendering them stateless and vulnerable to possible exploitation. If found by Chinese authorities, trafficking victims are often forcibly returned to the DPRK, where they are subject to harsh punishment, including forced labor in labor camps, torture, forced abortions, or death. In 2020, however, North Korean authorities refused to accept more than 200 defectors detained by Chinese authorities due to the COVID-19 pandemic.